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fka The Bank of New York, as Trustee for the  
Certificate Holders of CWMBS, Inc., CHL  
Mortgage Pass Through Trust 2005-02*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS TRUSTEE  
FOR THE CERTIFICATE HOLDERS OF  
CWMBS, INC., CHL MORTGAGE PASS  
THROUGH TRUST 2005-02, MORTGAGE  
PASS THROUGH CERTIFICATES 2005-02,

Plaintiff,

vs.

SOUTHERN HIGHLANDS COMMUNITY  
ASSOCIATION; SFR INVESTMENTS POOL  
1, LLC,

Defendants.

Case No.: 2:17-cv-02146-JCM-GWF

**STIPULATION AND ORDER TO EXTEND  
DISCOVERY DEADLINES**

[FIRST REQUEST]

Plaintiff The Bank of New York Mellon fka The Bank of New York, as Trustee for the  
Certificate Holders of CWMBS, Inc., CHL Mortgage Pass Through Trust 2005-02 (**BoNYM**),  
Southern Highlands Community Association (**HOA**), and SFR Investments Pool 1, LLC (**SFR**), by  
and through their respective counsel of record, and hereby jointly submit this Stipulation and Order  
to Extend Discovery Deadlines (First Request) pursuant to LR IA 6-1 and LR 26-4. This is the first  
stipulation to extend the discovery deadlines set by the Scheduling Order (ECF No. 18) entered by  
the Court on October 13, 2017.

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1 **A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

2 **1. Rule 26 Disclosures**

3 Plaintiff BoNYM served its Initial Disclosures on September 27, 2017.

4 Plaintiff BoNYM served its First Supplement to Initial Disclosures on October 26, 2017.

5 Defendant HOA served its Initial Disclosures on November 9, 2017.

6 Defendant SFR served its Initial Disclosures on November 20, 2017.

7 Defendant HOA served its First Supplement to Initial Disclosures on November 30, 2017.

8 Plaintiff BoNYM served its Second Supplement to Initial Disclosures on December 12, 2017.

9 Plaintiff BoNYM served its Initial Expert Disclosures on December 21, 2017.

10 Defendant SFR served its Initial Expert Disclosures on December 29, 2018.

11 Defendant SFR served its Rebuttal Expert Disclosure via mail on January 25, 2018

12 **2. Written Discovery**

13 Plaintiff BoNYM served its first set of interrogatories, requests for admissions and requests  
14 for production of documents to HOA on October 26, 2017.

15 Plaintiff BoNYM served its first set of interrogatories, requests for admissions and requests  
16 for production of documents to SFR on October 26, 2017.

17 Defendant HOA served its responses to requests for production of documents, response to  
18 requests for admission and answers to interrogatories on November 30, 2017.

19 Defendant SFR served its responses to requests for admission on November 30, 2017, and  
20 responses to requests for production of documents and answers to interrogatories on December 1,  
21 2017.

22 Defendant SFR served its first set of requests for admission, requests for production, and  
23 interrogatories to BoNYM on January 24, 2018.

24 **3. Depositions**

25 BoNYM's Deposition of HOA is scheduled for February 9, 2018.

26 BoNYM's Deposition of HOA Trustee Alessi & Koenig, LLC is scheduled for February 9,  
27 2018.

SFR's Deposition of BoNYM is scheduled for February 16, 2018.

**B. STATEMENT OF DISCOVERY REMAINING TO BE COMPLETED**

SFR's deposition of BoNYM. The parties reserve the right to conduct any additional discovery. BoNYM's deposition of HOA and deposition of HOA Trustee. BoNYM's responses to SFR's written Discovery.

**C. REASONS WHY AN EXTENSION IS REQUIRED**

SFR has scheduled the deposition for BoNYM for February 16, 2018. The parties are in the process of meeting and conferring regarding the deposition topics and have agreed that BoNYM will respond to written discovery in order to potentially limit the deposition topics. SFR served written discovery on BoNYM on January 24, 2018. The parties have agreed to conduct BoNYM's deposition within the second week of March so that BoNYM can respond to discovery and based upon BoNYM's witness availability.

**D. PROPOSED SCHEDULE FOR ALL REMAINING DISCOVERY**

	<b><u>Current Deadline</u></b>	<b><u>Proposed Deadline</u></b>
Discovery Cut-Off:	Tuesday, February 27, 2018	<b>March 21, 2018</b>
Dispositive Motions Deadline:	Thursday, March 29, 2018	<b>April 20, 2018</b>
Pretrial Order Deadline:	Monday, April 30, 2018	<b>May 21, 2018</b>

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**E. CURRENT TRIAL DATE**

The court **has not** yet set a trial date.

Based on the foregoing, the parties respectfully request the court extend the remaining discovery deadlines, as requested above.

The parties make this request in good faith and believe good cause exists for extending these deadlines.

Dated: February 2<sup>nd</sup>, 2018

**AKERMAN LLP**

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**ORDER**

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

**DATED:** 2/05/2018